

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Petitioner

-v-

12-MC-1S

ALEXANDER J. HORVATH,

Respondent

ORDER

This matter having come for hearing before this Court on the 23rd day of February, 2012, upon an Order to Show Cause dated January 10, 2012, and the respondent, ALEXANDER J. HORVATH, having been duly served before January 30, 2012, with a copy of the Order to Show Cause, Petition to Enforce Internal Revenue Service Summonses, with a copy of the declarations of Revenue Officer K McHale in support thereof, and with a copy of the administrative summonses that are the subject matter of this proceeding, all as more fully appears by the Affidavit of Service of certified private process server Craig Posmantur, showing service on ALEXANDER J. HORVATH. of such copies on January 26, 2012; and Mary E. Fleming, Assistant United States Attorney having appeared in support of such application, and the respondent, ALEXANDER J. HORVATH, having failed to appear on February 23, 2012, and good cause appearing therefore; it is

ORDERED, that the respondent, ALEXANDER J. HORVATH, obey the mandate of the Internal Revenue Service summonses served upon him on November 16, 2010, true copies of which were annexed to the copy of the aforementioned Petition to Enforce Internal Revenue Service Summonses which were heretofore served upon him, and specifically that he appear before an officer of the Internal Revenue Service, at 130 S. Elmwood Avenue, Buffalo, New York, to give testimony relating to the tax liability of ALEXANDER J. HORVATH for the taxable periods as contained in the summonses previously referenced and the collection of the liability, if any, and bring with him and produce for examination all documents and records in his possession or control which are necessary to enable a representative of the Internal Revenue Service to complete a current Collection Information Statement and Federal Income Tax Returns for the taxable years 2007, 2008, 2009 for said ALEXANDER J. HORVATH., and that he effect such appearance before said Revenue Officer no later than **10:00 a.m. on March 8, 2012**, and in default thereof, proceedings may be commenced against said ALEXANDER J. HORVATH. for contempt of Court, and it is

ORDERED, that the United States Attorney is directed to appear in Court at **9:00 a.m. on March 22, 2012** and advise the Court of the status of the taxpayer's compliance, and it is further

ORDERED that a copy of this Order be served, by regular mail upon ALEXANDER J. HORVATH, addressed to 8937 Stonebriar Drive, Clarence Center, New York 14032.

Dated: February 24, 2012
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court